

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

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JAPAN

Date of mailing  
(day/month/year) 21.9.2004.

Applicant's or agent's file reference  
FPYM978PC

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No. PCT/JP2004/012001	International filing date (day/month/year) 20.08.2004	Priority date (day/month/year) 20.08.2003
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International Patent Classification (IPC) or both national classification and IPC  
Int.Cl<sup>7</sup> G01L9/04, G01L13/06, G01L19/06

Applicant

YAMATAKE CORPORATION

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA/ JAPAN PATENT OFFICE (ISA/JP) Facsimile No.	Date of completion of this opinion 01.09.2004	Authorized officer Masayuki MORI Telephone No.
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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/012001

**Box No. I      Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of:
  - ☐ the international application in the language in which it was filed
  - ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing
    - ☐ contained in the international application as filed
    - ☐ filed together with the international application in electronic form
    - ☐ furnished subsequently to this Authority for the purposes of search
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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International application No.  
PCT/JP2004/012001

**Box No. V** Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**1. Statement**

Novelty (N)	Claims	<u>3, 6, 7</u>	YES
	Claims	<u>1, 2, 4, 5</u>	NO
Inventive step (IS)	Claims	<u>                    </u>	YES
	Claims	<u>1-7</u>	NO
Industrial applicability (IA)	Claims	<u>1-7</u>	YES
	Claims	<u>                    </u>	NO

**2. Citations and explanations:**

Document 1: JP 58-180927 A (Tokyo Shibaura Electric Co., Ltd.),  
22 October 1983, Figs. 2 to 5  
& GB 2118724 A & US 4519255 A

Document 2: JP 52-43474 A (Fuji Denki Seizo Kabushiki Kaisha),  
05 April 1977, Figs. 2 and 3 (Family: none)

**(Explanation 1)**

Document 1 cited in the International Search Report discloses that a concave curved surface is used as a protection device for a pressure-sensitive element. Therefore, the invention according to claims 1 and 4 has no novelty.

To provide a protective surface to both sides of the device of the above publication 1, and the shape of the protective curved surface are design matters that can be properly changed. It is also only a design matter to form the device of the above publication 1 into a differential pressure type device. Consequently, the invention according to claims 1-7 has no inventive step.

**(Explanation 2)**

Document 2 cited in the International Search Report discloses a differential pressure gauge in which concave curved surfaces are disposed in both sides of a pressure-sensitive diaphragm as a protection device for a pressure-sensitive element. Therefore, the invention according to claims 1, 2, 4 and 5 has no novelty.

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.  
Continuation of:

The shape of the protective curved surface described in the above publication 2 is a design matter that can be properly changed. In addition, the fixation of the device of the publication 2 to a base is also merely a design matter. For this reason, the invention according to claims 1-7 has no inventive step.